

18379 U.S. PTO  
120903

22154 U.S. PTO  
10/730874  
120903

Attorney Case No.: 108-028USANA0

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Continuation Application based on co-pending Application of:

Applicant : Frank Check  
Serial No. : 09/816,642  
Filing Date : March 23, 2001

Honorable Commissioner of Patents  
and Trademarks  
Washington, DC 20231

**TRANSMITTAL LETTER ACCOMPANYING THE FILING OF A CONTINUATION  
APPLICATION UNDER 37 CFR. 1.53(b)**

Sir:

This is a request for filing a Continuation Application under C.F.R. 1.53(b) of Application No. 09/816,642 entitled "Method of and System for Detecting and Correcting Mode Switching in Diffractive-Based Laser Scanning Systems" filed on March 23, 2001.

Applicant claims priority to the earlier effective filing date of U.S. Patent Application No. 09/816,642 filed March 23, 2001; said application being owned by Assignee, Metrologic Instruments, Inc., of Blackwood, New Jersey, and incorporated herein by reference as if fully set forth herein.

Enclosed is a true copy of Prior Application Serial No. 09/816,642 filed March 23, 2001 as originally filed and a Declaration under 37 C.F.R. 1.53(b) verifying it.

Please amend said prior application in accordance with the Preliminary Amendment filed herewith. Applicant also submits twenty eight (28) sheets of Formal Drawings for entry in the present Application.

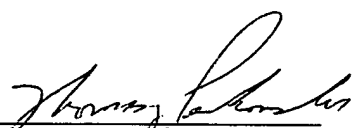
Power of Attorney is granted to Thomas J. Perkowski, Esq., of Stamford, Connecticut. A copy of the Power of Attorney filed in parent Application 09/816,642 is enclosed herewith.

Please send all correspondence in connection to the present Application to:

Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902

Respectfully submitted,

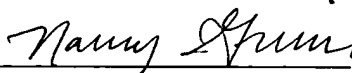
Date: December 9, 2003

  
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Thomas J. Perkowski, Esq.  
Reg. No. 33,134  
Attorney for Applicant  
Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902  
203-357-1950  
<http://www.tjpatlaw.com>

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. 1.10

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
\_\_\_\_\_  
Mailer: Nancy Grimm  
Date: December 9, 2003

Attorney Case No.: 108-028USANA0

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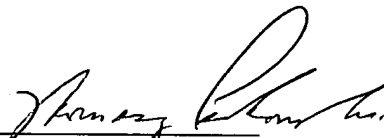
**SUBMISSION OF FORMAL DRAWINGS**

Sir:

Transmitted herewith please find Twenty Eight (28) sheets of Formal Drawings to be filed in the above referenced Application.

Respectfully submitted,

Dated: December 9, 2003

  
Thomas J. Perkowski, Esq.  
Reg. No. 33,134  
Attorney for Applicant  
Thomas J. Perkowski, Esq., PC  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902  
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A handwritten signature in cursive script, appearing to read "Nancy Grimm", is written over a horizontal line.

Mailer: Nancy Grimm  
Date: December 9, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Continuation Application based on co-pending Application of:

Applicant : Frank Check  
Serial No. : 09/816,642  
Filing Date : March 23, 2001

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**REQUEST FOR APPROVAL OF PROPOSED CHANGES TO THE DRAWINGS**

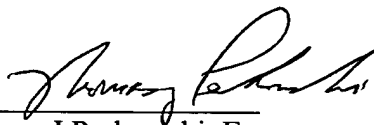
Sir:

Applicant hereby requests approval of proposed changes to Figs. 7(A), 8(A)(i), 8(A)(ii), 8(B)(i), 8(B)(ii), 8(C)(i), 8(D)(i), 8(D)(ii) and 8(D)(iii) which are indicated in red ink on the sheets filed herewith.

Applicant also submits under a separate cover formalized drawings, which include the proposed changes, for entry in the present Application upon approval of the proposed changes.

Respectfully submitted,

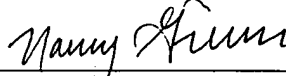
Dated: December 9, 2003

  
Thomas J Perkowski, Esq.  
Attorney for Applicant  
Reg. No. 33,134  
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